

FORM PTO-1390
OFFICE
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK

ATTORNEY'S DOCKET NUMBER

229752001500

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. § 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/980370
To Be Assigned

INTERNATIONAL APPLICATION NO.
PCT/AU00/00599

INTERNATIONAL FILING DATE
May 26, 2000

PRIORITY DATE CLAIMED
May 28, 1999

TITLE OF INVENTION

A METHOD OF PROPHYLAXIS AND TREATMENT AND AGENTS USEFUL FOR SAME

APPLICANT(S) FOR DO/EO/US

Charles Andrew COLLYER, Neil HUNTER, and Arthur Anthony DE CARLO, Jr.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application under PCT Article 19 (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An **unexecuted** oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). -- 2 pgs.
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment. -- 6 pgs.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: 1. Copy of Published International Application No. PCT/AU00/00599 (1 Cover Page, 59 Pgs. of Specification, 35 Pgs. of Drawings, 5 Pgs. of Sequence Listing, 2 Pgs. of International Search Report). 2. Application Data Sheet (3 pgs.). 3. Return receipt postcard.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL779891711US

Date of Deposit: November 28, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: U.S. Patent and Trademark Office, Box Patent Application, P.O. Box 2327, Arlington, VA 22202.


Michael Boyd

pa-645971

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|---|--|---|--|---|--|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) To Be Assigned <div style="font-size: 2em; font-weight: bold; margin-left: 100px;">09/980370</div> | | INTERNATIONAL APPLICATION NO. PCT/AU00/00599 | | ATTORNEY'S DOCKET NUMBER: 229752001500 | |
|---|--|---|--|---|--|

| | | | | | |
|---|--------------|--------------|------------|--------------------------------------|------------|
| 21. <input type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1,040.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....\$890.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$740.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provision of PCT Article 33(1)-(4)\$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)\$100.00 | | | | CALCULATIONS PTO USE ONLY | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | | | \$ 890.00 | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | 35 - 20 = | 15 | x \$18.00 | \$ 270.00 | |
| Independent claims | 7 - 3 = | 4 | x \$84.00 | \$ 336.00 | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$280.00 | \$ 280.00 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 1776.00 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$ | |
| SUBTOTAL = | | | | \$ 1776.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | + | \$ |
| TOTAL NATIONAL FEE = | | | | \$ 1776.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | + | \$ |
| TOTAL FEES ENCLOSED = | | | | \$ 1776.00 | |
| | | | | Amount to be refunded: | \$ |
| | | | | charged: | \$ 1776.00 |

a. ☐ A check in the amount of \$* to cover the above fees is enclosed.

b. ☒ Please charge my **Deposit Account No. 03-1952** in the amount of \$1776.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

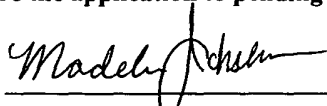
c. ☒ The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to **Deposit Account No. 03-1952**. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Madeline I. Johnston
 Morrison & Foerster LLP
 755 Page Mill Road
 Palo Alto, California 94304-1018


 SIGNATURE

Madeline I. Johnston
 Registration No. 36,174